

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

INNOVATIVE SOLUTIONS  
INTERNATIONAL, INC.,

Plaintiff,

v.

HOULIHAN TRADING CO INC., *et al.*,

Defendants.

CASE NO. C22-0296-JCC

ORDER

This matter comes before the Court on Defendant Pilgrim's Pride Corporation's ("Pilgrim's Pride") motion for reconsideration (Dkt. No. 105). Having thoroughly considered the parties' briefing and the relevant record, the Court hereby GRANTS the motion for the reasons explained herein.

This Court previously granted Plaintiff's motion to compel and ordered Pilgrim's Pride to produce all documents responsive to Plaintiff's initial discovery requests (along with a privilege log) and to amend its interrogatory responses no later than Monday, December 12, 2022. (Dkt. No. 92.) Pilgrim's Pride now argues that at the time of this Court's prior order, the scope of Plaintiff's request was still unknown and that it is now working diligently to produce the requested documents as soon as possible. (Dkt. No. 105 at 2.)

Motions for reconsideration are generally disfavored. LCR 7(h)(1). But reconsideration is

1 appropriate where there is “manifest error in the prior ruling or a showing of new facts or legal  
2 authority which could not have been brought to [the Court’s] attention earlier with reasonable  
3 diligence.” *Id.*

4 Pilgrim’s Pride asserts the massive volume of electronically stored information (ESI) that  
5 Plaintiff requested makes it impossible for it to fully comply with the Court’s previous order, and  
6 that the actual number of documents was not known at the time of the previous order. (Dkt. No.  
7 105 at 4–5.) Since the Court’s order, Pilgrim’s Pride produced over 150,000 documents on  
8 December 9, 2022 and served supplemental answer to Plaintiff’s first set of discovery requests  
9 on December 12, 2022. (Dkt. No. 113 at 2.) Moreover, both parties agree that it would be  
10 appropriate to extend the deadline for Pilgrim’s Pride to produce its privilege log and all  
11 supplemental productions resulting from privilege review given the large volume of documents.  
12 (Dkt. Nos. 105 at 10, 109 at 7.) However, they disagree as to how long the extension should be.

13 Pilgrim’s Pride argues that there are over 177,000 documents that need to be reviewed for  
14 privilege and asks for a deadline of January 27, 2023. (Dkt. No. 105 at 10.) Plaintiff argues that it  
15 needs time to review such a large quantity of documents, which it requested over four months  
16 ago, given the impending discovery cutoff date and asks for a deadline of January 2, 2023. (Dkt.  
17 No. 109 at 6–7.)

18 Taking into account both parties’ arguments, the Court EXTENDS the deadline for  
19 Pilgrim’s Pride to produce its privilege log and all supplemental productions to January 20,  
20 2023.<sup>1</sup> However, Pilgrim’s Pride also states it can provide rolling production before the final  
21 production date. (Dkt. No. 105 at 7 n.5.) The Court ORDERS Pilgrim’s Pride to provide Plaintiff  
22 non-privileged records on a rolling basis to provide Plaintiff as much time as possible to review  
23 these documents.

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24 <sup>1</sup> At this time, the Court will not order Pilgrim’s Pride to make its witnesses available as  
25 requested by Plaintiff. (Dkt. No. 109 at 7.) However, both parties are instructed to cooperate and  
26 schedule depositions in a timely manner. If Plaintiff determines it is unable to complete  
discovery by the cutoff date, it may move to extend the date as needed.

1 DATED this 29th day of December 2022.

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5 John C. Coughenour  
6 UNITED STATES DISTRICT JUDGE  
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